



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

December 1, 2023

**VIA ECF**

Hon. Analisa Torres  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**Re: *United States v. Kwok, et al.*, S1 23 Cr. 118 (AT)**

Dear Judge Torres:

The Government writes to request that the Court order the following proposed schedule concerning certain of the defendants' pending motions in the above-captioned case.

By way of background, on June 6, 2023, the Court ordered that the defendants shall file their pretrial motions by November 15, 2023 and that the Government's CIPA Section 4 brief shall be filed by December 15, 2023. (6/6/23 Dkt. Entry.) On August 30, 2023, Kwok filed a motion to stay a bankruptcy case. (Dkt. 129.) On September 20, 2023, Kwok filed a motion to compel certain discovery from the Government. (Dkt. 141.) Following an appearance of new counsel for defendant Wang, on November 20, 2023, Wang sought to extend the defendants' time to file pretrial motions until December 15, 2023. The Government did not object to the request, which the Court granted. (Dkts. 168, 173, 175.)

On November 17, 2023, Kwok filed a second motion to compel discovery, to which the Government is presently due to respond by December 8, 2023. (Dkts. 170-174.) On November 27, 2023, Kwok filed a second motion for pretrial release. (Dkts. 177, 178.) As mentioned, the Government's CIPA Section 4 brief is presently due on December 15, 2023, and the defendants' remaining pretrial motions are due on December 15, 2023.

Given the confluence of briefing deadlines, the Government requests the following briefing schedule for Kwok's second motion for pretrial release and a modest one-week extension on Kwok's second motion to compel discovery. Specifically:

- The Government shall file its opposition to Kwok's second motion for pretrial release on or before December 7, 2023. Kwok shall file a reply, if any, on or before December 12, 2023.<sup>1</sup>

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<sup>1</sup> Kwok's counsel also requests that the Court hold oral argument concerning Kwok's second motion for pretrial release on December 19, 2023. The Government does not believe oral argument is necessary to resolve Kwok's motion, but the Government is available should the Court decide to hold an argument.

- The Government shall file its opposition to Kwok's second motion to compel discovery on or before December 15, 2023. Kwok shall file a reply, if any, on or before December 29, 2023.

Under the Government's proposal, other now-existing deadlines will remain unchanged. Kwok's counsel does not object to the proposed dates concerning Kwok's second motion for pretrial release. Kwok's counsel objects to the Government's request for a one-week extension of its time to file an opposition to the second motion to compel discovery.

The Government is available to address any questions the Court may have.

Respectfully submitted,

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